

## Housing Ombudsman Complaint Handling Code

### Statement of Compliance

The Housing Ombudsman published a new Complaint Handling Code in July 2020, setting out good practice that will allow landlords to respond to complaints effectively and fairly.

#### Key areas in the Code

- Universal definition of a complaint
- Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
- The structure of the complaints procedure - only two stages necessary and clear timeframes set out for responses
- Ensuring fairness in complaint handling with a resident-focused process
- Taking action to put things right and appropriate remedies
- Creating a positive complaint handling culture through continuous learning and improvement
- Demonstrating learning in Annual Reports.

The Code is part of the Ombudsman's new powers in the revised Housing Ombudsman Scheme.

Landlords have been asked to self-assess against the Code by 31 December 2020 and publish the results.

#### Background

BVT introduced a new Complaints Policy and Procedure in April 2020 following a full review. The new process is shorter and places a much greater emphasis on empowering staff to resolve a complaint as early on in the process as possible. The process links in with the new Compensation Policy which broadens the tools available for responding to and resolving complaints effectively.

We have also developed a new toolkit for staff to use and we continue to work on embedding the new process and establishing better reporting tools to ensure we can learn from complaints as an organisation.

The following information sets out BVT's statement of compliance against the new Complaint Handling Code.

## Definition of a Complaint

The complaint definition used by BVT is:

*Adverse comments about services provided, or not provided by Bournville Village Trust. It is an expression of dissatisfaction, however made, about the standards of service, action or lack of action, decisions taken by Bournville Village Trust, or the way in which our employees/ contractors do their job.*

In everyday terms, this means that a complaint can be made where it refers to:

- Dissatisfaction in the way we have delivered or have failed to deliver a service
- Delay or not acting on a request for a service
- Dissatisfaction with the way we apply policies, decisions or procedures
- Refusal to answer reasonable questions or giving misleading or unsuitable advice
- Failure to follow our policies /procedures or legislation
- Impoliteness, rudeness, unfairness, bias or prejudice or poor staff attitude
- An inappropriate use of personal information.

The following are examples that do not fall within the scope of the complaints policy:

- Reporting complaints about anti-social behaviour
- First time request for service
- Issue being dealt with by Insurance claim/ legal action
- Complaint that has already been through BVT complaints process
- Dispute regarding lease or tenancy agreement content
- An appeal against a decision where there is an appeals process, e.g. offer of accommodation decision
- Over 6 months old and not reported before

All exclusions are deemed reasonable and for the majority there are other routes for resolving the dispute.

## Accessibility

Customers can contact us in a variety of ways:

- Online (webpage)
- E-mail ([enquiries@bvt.org.uk](mailto:enquiries@bvt.org.uk))
- Letter
- Telephone our Customer Services Team (0300 333 6540)
- Personal contact with staff

A Plain English Complaint Handling Service Statement is published on our website which details the key policy principles and the procedure.

If the resident is identified as vulnerable at any point during the process and his/her vulnerability has an impact on the complaint, provisions under our Vulnerable Person's Policy are used.

## Complaints Team and Process

The Head of Business Improvement oversees the policy and procedure. The complaints process follows two formal stages where appropriate, a third stage is not included. Attempts are made to resolve the complaint as an initial restorative approach before the complaint progresses to Stage 1.

The Head of Business Improvement has a direct involvement in Stage 2 of the procedure where support is given to the Director of Service in carrying out an Independent Review.

Should the complaint progress through the final stage the response sets out the residents' right to refer the matter to the Housing Ombudsman Service.

All complaints correspondence is held on the electronic document management system and all contacts and actions are recorded on the contact management system to enable reporting.



**80%**  
of complaints  
are resolved at  
Stage 1

## Communication

The policy encourages regular contact with the resident, preferably by telephone to provide updates and to seek to resolve the complaint as soon as possible.

\* based on data from 1 Apr 2020 to 30 Nov 2020 in line with the launch of the new policy.

There have been a small number of occasions in the last 12 months where complaints have been acknowledged outside of the 5 day target. This has been resolved with the introduction of a new internal workflow and increased monitoring by the Business Improvement team.

At the end of each final response letter, the resident is advised of the next stage should they remain dissatisfied.

Since the new complaints process has been introduced:

- 80% of complaints were resolved at Stage One
- 15% of complaints were resolved at Stage Two
- 2 complaints were escalated beyond the BVT complaints process to the Housing Ombudsman.
- We received 29 'informal' complaints, 17 of which were resolved without any need for escalation, giving an initial resolution rate of 59%. This is something we will actively look to improve during 2021.

Timescales are only ever extended if the complaint is particularly complex or if it involves a number of different issues. There have been occasions when the timescales have been extended due to staff absence and on a couple of occasions the correspondence has been missed. This was largely due to some confusion with the new procedure and has now been resolved.

Residents are given a chance to respond and challenge any area of dispute throughout the process before the final decision is made.

Satisfaction surveys for service complaints do not usually yield a high response rate however they will be re-introduced in 2021 and we will work hard to ensure we gain as much feedback as possible to support any improvements to the process.

## **Co-operation with Housing Ombudsman Service**

All requests for evidence from the Ombudsman were responded to within 15 days.

## **Fairness in Complaint Handling**

Residents are able to complain via a representative throughout in order that they are supported. All advice given will be accurate and easy to understand.

Very rarely do BVT refuse to escalate a complaint. A resident can request an independent review of the Stage 1 decision where either:

- 1) Not all aspects of the complaint were addressed at Stage 1 and in these circumstances the original investigating officer may be asked to look at the complaint again or refer to a senior officer in the team.
- 2) If the resident feels the response to their original complaint was not fully justified and any wrong has not been adequately addressed or rectified.
- 3) If a customer provides evidence that warrants an independent review of a Stage 1 complaint then the Director of the relevant service will be appointed to investigate.

An independent review will only be declined in circumstances where either we have already accepted responsibility at Stage 1 and taken appropriate steps to address the issues raised so that an independent review is not going to achieve any further action or change the outcome of the Stage 1 investigation.

However, where a resident can show either that all aspects of the complaint were not addressed at Stage 1 or believes there are grounds to change the decision at Stage 1 then an independent review will take place.

## **Outcomes and Remedies**

Where something has gone wrong we take appropriate steps to put things right through regular monitoring of performance and outcomes and we are open to changing how we do things if we need to.

In 2021, we will be increasing our performance monitoring in line with the Complaint Handling Code and establishing a broader set of operational performance indicators and a renewed focus on organisational learning.

## **Continuous Learning and Improvement**

As the process is relatively new, work is ongoing to embed our organisational learning but this will be a real focus for 2021.

Learning will be shared with residents via the customer newsletters and the Annual Report.

There will be regular reporting to the Board and appropriate committees through key performance indicators and an annual complaints report that will detail trends and learning.

The Code has proven to be useful in helping us to re-focus on complaints learning and encourage early resolution.

The Complaints and Compliments Policy and Procedure is new for 2020 and has been designed to align with the new Code by reducing the number of stages involved and empowering staff so they can reach a resolution as early as possible.